Hovsepian v. Apple, Inc.
Doc. 64

COUNSEL LISTED ON SIGNATURE PAGES

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

In re

ACACIA MEDIA TECHNOLOGIES CORPORATION

Case No. C-05-01114 JW

STIPULATION AND [PROPOSED] ORDER RE BRIEFING SCHEDULE

Judge: Honorable James Ware

Dockets.Justia.com

WHEREAS, by Order dated July 19, 2005, the Court ordered the parties to meet and confer on a briefing schedule for the Motion for Reconsideration that is set for hearing on September 8 and 9, 2005; and

WHEREAS, the parties have met and conferred and agreed on a schedule;

NOW THEREFORE, the parties stipulate as follows:

1. By July 29, 2005: Each party wishing to file a Motion for Reconsideration will file and serve its opening brief.

2. By July 29, 2005: Any defendant that intends to present expert testimony in support of its motion will serve on Acacia a declaration or other disclosure of the expert's opinions in sufficient detail to permit Acacia's experts to prepare rebuttal opinions.

3. By August 8, 2005: If Acacia intends to present expert testimony in support of its motion on matters other than those set forth in the declarations of Peter Alexander and Merrill Weiss dated October 20, 2004, it will serve on all defendants declarations or other disclosure of the experts' opinions on those other matters in sufficient detail to permit defendants' experts to prepare a rebuttal opinion.

4. By August 25, 2005: The parties will file and serve opposition briefs, together with declarations or other disclosures of any rebuttal expert opinions in sufficient detail to permit the adverse parties to take meaningful depositions of the experts.

5. By September 2, 2005: The parties will complete expert depositions.

6. By September 23, 2005: The parties will file and serve post-hearing reply briefs, which may address arguments and evidence presented in the adverse parties' briefs and/or argument or evidence presented at the evidentiary hearing on September 8 and 9. No additional expert testimony that was not already presented in any of the briefing or at the hearing shall be permitted with the post-hearing brief.

IT IS SO STIPULATED.

Dated: August 10, 2005

RODERICK G. DORMAN (CA SBN 96908)
ALAN P. BLOCK (CA SBN 143783)
KEVIN I. SHENKMAN (CA SBN 223315)
HENNIGAN, BENNETT & DORMAN LLP
601 South Figueroa Street, Suite 3300
Los Angeles, CA 90017

By: /s/
Alan P. Block

Attorneys for Plaintiff
ACACIA MEDIA TECHNOLOGIES CORPORATION

Dated: August 10, 2005

VICTOR G. SAVIKAS
KEVIN G. McBRIDE
MARSHA E. MULLIN
CHARLES C. WONG
JONES DAY
555 West Fifth Street, Suite 4600
Los Angeles, California 90013-1025

By: /s/
Charles C. Wong

Attorneys for Defendant
THE DIRECTV GROUP, INC.

Dated: August 10, 2005

HAROLD J. McELHINNY (CA SBN 66781)
RACHEL KREVANS (CA SBN 116421)
PAUL A. FRIEDMAN. (CA SBN 208920)
JASON A. CROTTY (CA SBN 196036)
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482

DAVID C. DOYLE (CA SBN 70690)
MORRISON & FOERSTER LLP
3811 Valley Centre Dr., Suite. 500
San Diego, California 92130

By: /s/
Jason A. Crotty

Attorneys for Defendants
ECHOSTAR SATELLITE LLC and ECHOSTAR TECHNOLOGIES CORPORATION

Dated: August 10, 2005

DARALYN J. DURIE (CA SBN 169825)
DAVID J. SILBERT (CA SBN 173128)
KEKER & VAN NEST LLP
710 Sansome Street
San Francisco, California 94111-1704

By: /s/
David J. Silbert

Attorneys for Defendant
COMCAST CABLE COMMUNICATIONS, LLC

Dated: August 10, 2005

BRADFORD LYERLA (*pro hac vice* app. pending)
KEVIN HOGG (*pro hac vice* app. pending)
JEFFREY DEAN (*pro hac vice* app. pending)
MARSHALL, GERSTEIN & BORUN LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357

By: /s/
Kevin Hogg

Attorneys for Defendant
CHARTER COMMUNICATIONS, INC., WIDE OPEN WEST, ARMSTRONG UTILITIES, MASSILON CABLE TV, INC., EAST CLEVELAND CABLE TV, MID-CONTINENT MEDIA, INC., CANNON VALLEY COMMUNICATIONS, US CABLE HOLDINGS, LP, ARVIG ENTERPRISES, SJOBERG CABLE, LORETEL SYSTEMS, INC., NPG CABLE, INC.

DATED: August 10, 2005

JUANITA R. BROOKS
TODD G. MILLER
FISH & RICHARDSON P.C.
12390 El Camino Real
San Diego, California 92130-2081

By /s/
Todd R. Miller

Attorneys for Defendants
ADEMIA MULTIMEDIA, LLC; AEBN, INC.; AUDIO COMMUNICATIONS, INC.;CLUB JENNA, INC.; CYBER TREND, INC.; CYBERNET VENTURES, INC.; ACMP, LLC; GAME LINK, INC.; GLOBAL AVS, INC.; INNOVATIVE IDEAS INTERNATIONAL; LIGHTSPEED MEDIA GROUP, INC.; NATIONAL A-1 ADVERTISING, INC.; NEW DESTINY INTERNET GROUP, LLC, VS MEDIA, INC.

DATED: August 10, 2005

WILLIAM J. ROBINSON
VICTOR DE GYARFAS
FOLEY & LARDNER
2029 Century Park East, 35th Floor
Los Angeles, California 90067

By_________________/s/________________________
Victor De Gyarfas

Attorneys for Defendants
International Web Innovations, Inc. and
OFFENDALE COMMERICAL LIMITED BV

DATED: August 10, 2005

DAN FINGERMAN
MOUNT & STOELKER, PC
RiverPark Tower, 17th Floor
333 W. San Carlos St.
San Jose, CA 95110-2726

By:_________________/s/________________________
Daniel H. Fingerman

Attorneys for Defendant
ASKCS.COM, INC.

DATED: August 10, 2005

GARY A. HECKER
JAMES M. SLOMINSKI
THE HECKER LAW GROUP
1925 Century Park East, Suite 2300
Los Angeles, California 90067

By_________________/s/________________________
James M. Slominski

Attorneys for Defendant
OFFENDALE COMMERCIAL BV, LTD.

DATED: August 10, 2005

MITCHELL D. LUKIN
BAKER BOTTS LLP
One Shell Plaza
910 Louisiana
Houston, Texas 77022

By_________________/s/_____________________________
Mitchell D. Lukin

Attorneys for Defendants
MEDIACOM COMMUNICATIONS CORP.;
CABLE ONE, INC.; and CEQUEL III
COMMUNICAITONS I, LLC

DATED: August 10, 2005

SEAN DAVID GARRISON
ROBERT FRANCIS COPPLE
LEWIS & ROCA LLP
40 N. Central Avenue
Phoenix, Arizona 85004-4429

By _________________/s/_____________________________
Sean David Garrison

Attorneys for Defendant
CABLE AMERICA CORP.

I hereby attest that I have on file written authority from each person whose signature is indicated by a “conformed” signature (/s/) within this e-filed document.

Dated: August 10, 2005

KEKER & VAN NEST, LLP

By: /s/
David J. Silbert

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: ______________________ By:______________________________

JAMES WARE
UNITED STATES DISTRICT JUDGE